

CHARTER TOWNSHIP OF DELTA
Public Meeting Room A
Delta Township Administration Building
7710 West Saginaw Highway
Lansing MI 48917

**TOWNSHIP BOARD REGULAR MEETING MINUTES FOR
MONDAY, December 16, 2013**

I. CALL TO ORDER

II. OPENING CEREMONIES – Pledge of Allegiance

III. ROLL CALL

Members Present: Treasurer Howard Pizzo, Trustee Dennis Fedewa, Trustee Doug Kosinski, Trustee Karen Mojica, Clerk Mary Clark, and Supervisor Kenneth Fletcher.

Members Absent: Trustee Jeff Hicks

Others Present: Community Development Director Mark Graham, Township Planner Chris Gruba, Economic Development Coordinator Ed Reed, Assistant Director Gary Bozek, Deputy John Davidson, Township Engineer Gary Arnold, Fire Chief John Clark, Assistant Fire Chief Mike Roman, Finance Director Jeff Anderson and Deputy Manager Jenny Roberts.

TRUSTEE MOJICA MOVED TO EXCUSE TRUSTEE HICKS.

CLERK CLARK SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

IV. PRESENTATIONS AND PROCLAMATIONS

1. MDOT Presentation, Saginaw Highway (M-43) Speed Study

Lieutenant Gary Megge, Michigan State Police, Traffic Services Unit, Tom Fisher, MDOT Lansing TSC, Operations Engineer Manager and Josh Carey, MDOT Lansing TSC, Traffic & Safety Engineer were in attendance to present the results of a recent traffic study on M-43.

Mr. Fisher stated the reason the study was done resulted from a request from The Township in August 2012. In the fall of 2013 the study was conducted from Waverly to Broadbent. This study was also part of a regular 10 year review by the Michigan State Police. Study samples were obtained during slow traffic times with the lowest speeds dropped from the study. This

sampling is identified as the 85th percentile speed – which is a nationally recognized method to establish safe speed limits.

Other factors considered were the current geometrics of each intersection along the corridor as well as other road features (# of driveways, pedestrian walkways etc.), as well as the crash history.

The review in part showed a fairly high number of rear end crashes. One way to address this is to set a speed that eliminates speed discrepancies – some drivers going 30-40 and others going 45-50 in the same zone.

The current speed limits between Marketplace Blvd and Waverly Road were set in 1988. There was a study done in March of 2000 west of 96. There have been other studies along this corridor, the first a signal timing coordination project by MDOT in 2012 to improve signal progression to smooth traffic flow. A safety review in 2013 and a signal study on Broadbent in latter 2012-early 2013.

The results of the most recent study according to the 85th percentile are that actual speeds are higher than posted speeds. In relation to West Mall Drive, where it is posted as 40mph, motorists were travelling 45mph consistent with the rest of the corridor.

As a result of the study, it is recommended that the speed limit from Waverly Road to Marketplace Blvd be posted at 45mph. The associated timeline is as follows: Signing the traffic control order to be completed by the end of this year, coordination of the new sign installation of the new speed limits in February or March of 2013.

Clerk Clark asked whether the increased speed changes the traffic light desired at Broadbent. Mr. Fisher noted the speed limit recommendation is Marketplace going east. Recently at a county wide traffic summit, Broadbent was mentioned insofar as how traffic could be controlled in addition to a traffic light. Mr. Fisher stated the traffic volume at Broadbent currently does not warrant a traffic signal at this time – it is a high volume crash area and alternatives are constantly being evaluated. Clerk Clark stated that a care facility is being developed on the north part of Broadbent that will contribute to the overall volume.

Supervisor Fletcher asked what the other alternatives were for that area that Mr. Fisher mentioned. Mr. Fisher stated according to Federal guidelines a certain number of vehicles must traverse the area in order to put in a signal, however with the high crash volumes – alternative measures must be

implemented prior to installation of a traffic signal. An overhead flashing beacon and other options are being reviewed.

Trustee Kosinski noted having concerns over increased speed limits between Canal and Waverly. Mr. Fisher states that the speeds will likely not increase; they are already at the new recommendation of 45mph.

Trustee Kosinski asked whether methods have been reviewed to decrease actual speeds between those streets. Mr. Fisher indicated that this is commonly called traffic calming and in this corridor there is significant volume and traffic calming would lead to undesirable results such as increased traffic, bottlenecks etc. Mr. Fisher states that he is a traffic reconstructionist and stated when reviewing crashes along this corridor most were rear end crashes in high density traffic or right of way violations. Mr. Fisher states that speed and the speed limit have little to do with crashes and when reviewing national studies there is a high propensity for speed related fatalities – which include violations of basic speed law (conditions, ice, snow).

Mr. Fisher states that studies such as this that resulted in a speed limit increase have resulted in speed limit increases in multiple communities and have never had to be lowered. National studies show that when speed limits are corrected in a particular place along a corridor, a slight reduction in crashes is seen.

Supervisor Fletcher asked whether Mr. Fisher has found that when a limit is raised, does the motorist who was driving the speed limit prior, comply with the new speed or stay at the old speed. Mr. Fisher stated that 10-15% of motorists stay at or near a posted speed limit.

Trustee Fedewa notes that the speed study didn't seem to address traffic travelling east into the congested area of Broadbent and east of it. Mr. Fisher stated that speeds at the Nixon intersection not included in the report were also at the 85th percentile – at 58mph. It was suggested that perhaps another small speed study be done to look at the corridor in front of Quality Dairy. Mr. Fisher states that when the limit was established in the 80's, many of the businesses were not there.

Trustee Fedewa also stated that well marked pedestrian crossings along the Saginaw corridor are in need and noted that some of the corners are quite a distance from each other.

Trustee Mojica asked for clarification from Mr. Fisher whether the overpass leading to Broadbent Road would maybe be 50, that she has seen people slow down there and thinks it is a hazard. That it goes from 45mph to 55mph. Mr. Fisher stated that it is a strange place to change it current day however originally

it was probably a perfect place. Mr. Fisher stated some problems with this area will be improved after the signal timing is changed (after the increased speed limit implementation).

Supervisor Fletcher thanked the presenters and noted that Lieutenant Gary Megge also served on the State Complete Streets advisory committee with him.

V. SET/ADJUST AGENDA

TRUSTEE KOSINSKI MOVED TO APPROVE THE AGENDA AS PRESENTED.

TRUSTEE MOJICA SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

VI. PUBLIC HEARINGS

VII. COMMUNICATIONS

VIII. PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA (*maximum two minutes*)

Gloria Kovnot who lives at 10803 Canterbury Lane, spoke as a representative of the Tri-County Office on Aging. Ms. Kovnot stated that the agency is in desperate need of volunteers to deliver Meals on Wheels and requested whether this need could be listed on the Township website. Supervisor Fletcher asked Ms. Kovnot to work with Deputy Manager Roberts to get something posted on the website.

IX. INTRODUCTION OF ORDINANCES

2. Complete Streets Ordinance

The community Development Department recommends that the Township Board introduce proposed sections 34-100 to 34-103 to Chapter 34 of the Delta Township Code of Ordinances.

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE THE PROPOSED SECTIONS 34-100 TO 34 -103 TO CHAPTER 34 OF THE DELTA TOWNSHIP CODE OF ORDINANCES. THE PROPOSED SECTIONS CONSTITUTE THE TEXT OF THE DELTA TOWNSHIP COMPLETE STREETS ORDINANCE. THE TOWNSHIP CLERK IS HEREBY DIRECTED TO ADVERTISE THIS INTRODUCTION IN LOCAL NEWSPAPERS WITH FINAL ACTION ON THE PROPOSED ORDINANCE SCHEDULED FOR THE JANUARY 6, 2014 TOWNSHIP BOARD MEETING.

DELTA CHARTER TOWNSHIP CODE OF ORDINANCES
COMPLETE STREETS ORDINANCE

CHAPTER 34
STREETS, SIDEWALKS AND PUBLIC PLACES
Article V. Complete Streets

SECTION 34 – 100. DEFINITIONS.

The following words, terms and phrases, when used in this Ordinance, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

Complete Streets Infrastructure means roadways and/or public rights-of-way planned, designed, and constructed to provide appropriate access to all legal users in a manner that promotes safe and efficient movement of people and goods whether by car, truck, transit, assistive device, foot, or bicycle.

Street Project means the construction, reconstruction, retrofit, or alteration, and includes the planning, design, approval, and implementation processes, except that “Street Project” does not include maintenance such as cleaning, sweeping, mowing, spot repair, or interim measures on detour routes.

Users means legal users of the roadways and public right-of-way, including pedestrians, bicyclists, motor vehicle drivers, public transportation riders and drivers, and people of all ages and abilities including children, youth, families, older adults, and individuals with disabilities.

SECTION 34 – 101. PURPOSES.

The purposes of this ordinance are as follows:

1. To promote public health, safety, comfort, convenience, and general welfare of the community by providing opportunities for walking, bicycling, personal vehicular transportation and public transportation.
2. To encourage increased use of non-motorized modes of transportation.
3. To attempt to maximize access for all segments of the population including both persons with and without disabilities.

SECTION 34–102. COMPLETE STREET INFRASTRUCTURE.

1. The Township shall endeavor to make complete streets practices a routine part of operations, strive to make every street project accessible for all users, and

coordinate efforts with other agencies and jurisdictions to achieve complete streets. The Township shall work in partnership with the Eaton County Road Commission and Michigan Department of Transportation to facilitate implementation of Complete Streets to the extent feasible, pursuant to this Ordinance.

2. To the extent possible, the Township resolves to consider complete streets practices for every street project in order to provide reasonably safe travel along and across the road right-of-way for each category of users; provided, however, that such infrastructure may be excluded, upon agreement of the Township Board and the applicable public road agency, subject to each agency's powers and duties, where documentation and data indicate that:
 - a. Use by non-motorized users is prohibited by law.
 - b. The cost would be excessively disproportionate to the need or probable future use over the long term, or funding is simply not available.
 - c. There is an absence of current or future need.
 - d. Inclusion of complete streets infrastructure would be unreasonable or inappropriate in light of the scope of the project.
 - e. Implementation of complete streets infrastructure is not possible due to physical restraints imposed by the project area.
3. As feasible pursuant to sub-section 34-102 (2), the Township will consider incorporating complete streets infrastructure into existing streets to improve the safety and convenience of users, construct and enhance the transportation network for each category of users, and create a walkable community.
4. As feasible pursuant to sub-section 34-102 (2), if the safety and convenience of users can be improved within the scope of a street project that includes pavement resurfacing, restriping, or signalization operations, the Township Board will review the possibility of incorporating complete streets improvements.
5. The Township will review all appropriate plans, zoning and subdivision codes, laws, procedures, and rules, including the Comprehensive Plan, Non-Motorized Transportation Plan, and Sidewalk Plan of the Township to attempt to address the needs of all users in all street projects on public and private streets. This shall be done through the normal course of revisions and updates to these documents.

SECTION 34 – 103. DATA COLLECTION, STANDARDS, AND PUBLIC INPUT.

1. The Township has collected a significant amount of data and obtained public input by various means pertaining to multiple modes of transportation which is reflected in the Township's Comprehensive Plan, Non-Motorized Transportation Plan, Sidewalk Plan, and Parks & Recreation Plan. Like any planning document, these plans may be amended and/or updated from time to time.
2. The Township shall continue to encourage public participation in decisions concerning the design and use of streets.
3. The Township shall work in concert with the Eaton County Road Commission and Michigan Department of Transportation when evaluating future roadway projects for the inclusion or feasibility of complete streets infrastructure.
4. All street projects requiring funding and/or approval by the Township Board shall attempt to:
 - a. Evaluate the effect of the proposed project on safe travel by all users.
 - b. Identify measures to mitigate any adverse impacts on such travel that are identified.
 - c. Achieve implementation of Complete Street Infrastructure to the extent feasible.

TRUSTEE FEDEWA SUPPORTED THE MOTION.

Trustee Kosinski noted that the overall the purpose of the ordinance is appropriate, however noted that he would like to insert a more explicit consideration of regional concerns – that is looking at the overall network of roads entering/exiting Delta Township and the impact of any such proposed projects. Trustee Kosinski cited a couple of recent projects that were viewed differently by the region than that of the strictly local perspective.

Supervisor Fletcher asked for an example of what Trustee Kosinski is referring to. Trustee Kosinski stated that one example was the Michigan Avenue project, noting from a local traffic movement standpoint people in the Township were concerned with having access to the Lansing Mall. From a regional standpoint, Michigan Avenue contributed little or nothing because it isn't a corridor or through street because it dead ends at Canal Street. Trustee Kosinski further stated that had a similar project been done on St. Joe, it would have had a significant impact regionally as a viable alternative to Saginaw Highway.

Supervisor Fletcher stated that the Complete Street Ordinance address is not whether a road (such as Michigan Avenue) should be built, rather when building/reconstructing roads that all other modes of transportation (bicyclists,

pedestrians) are incorporated. Supervisor Fletcher further noted that the Complete Streets program is not necessarily where those types of concerns are flushed out. Trustee Kosinski stated if those decisions aren't considered in this type of program, where/when are they? Treasurer Pizzo stated that he believes the appropriate place is when the Non-Motorized Transportation Plan is addressed and that the Complete Streets ordinance serves as a reminder when developing/improving roads within the Township but also to remind us to be mindful of what the regional plans are coming toward the Township.

Trustee Kosinski stated that regionalism has been a major emphasis for the Township Board and believes this to be an opportunity to ensure taking into account any project that impacts the regional community.

Trustee Fedewa asked whether the Township follows a 5 year Strategic Transportation Plan on a regional plan and whether that timeline was coming up next year. Supervisor Fletcher confirmed this. Trustee Fedewa stated that he believes the Strategic Transportation Plan is the appropriate area to address regional infrastructure needs. Treasurer Pizzo stated that by year end 2014 the Township will be developing its Transportation Plan. Trustee Fedewa noted that this is when different projects will be identified to pursue and will be prioritized through this process and might be more appropriately dealt with there. Trustee Kosinski agreed that this would be the place to document it as long the Township ensures that it is dealt with there. Trustee Fedewa agreed and stated that if it is to benefit all users of the major arteries within Delta Township then this is more appropriately addressed in the Non-Motorized Transportation Plan.

Trustee Kosinski stated regarding section 34.103, under "data collection standards", #4 "all street projects requiring funding and or approval by the Township Board shall ***attempt to***", that he would like the language be changed and have *attempt to* dropped and make it mandated.

Discussion ensued, Treasurer Pizzo noted that there are some circumstances that it just wouldn't be possible or appropriate, such as money, easements or simply getting all parties to agree.

Trustee Kosinski noted that other areas of the variance address feasibility.

TRUSTEE KOSINSKI MOVED TO AMEND THE ORDINANCE BY STRIKING OUT "ATTEMPT TO" IN SECTION 34.104, #4.

TRUSTEE FEDEWA SUPPORTED THE MOTION.

THE MOTION PASSED 5-1 (TRUSTEE MOJICA NAY – TRUSTEE HICKS ABSENT).

TREASURER PIZZO MOVED TO INTRODUCE THE COMPLETE STREETS ORDINANCE AS AMENDED.

TRUSTEE FEDEWA SUPPORTED THE MOTION.

THE MOTION PASSED 6-0 (TRUSTEE HICKS ABSENT).

X. PASSAGE OF ORDINANCES

XI. CONSENT AGENDA –

TREASURER PIZZO MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.

TRUSTEE MOJICA SUPPORTED THE MOTION.

ROLL CALL:

AYES: TREASURER PIZZO, TRUSTEE MOJICA, TRUDSTEE FEDEWA, CLERK CLARK AND SUPERVISOR FLETCHER.

NAYS:

ABSENT: TRUSTEE HICKS

THE MOTION PASSED 6-0 (TRUSTEE HICKS ABSENT).

3. Bills and Financial Transactions \$1,088,071.88

Bond/Debt Payments	
Investments	
Payroll & Related	471,579.02
Refunds	35,838.04
Tax Distributions	115,325.39
Vendor Claims	465,329.43
Total	\$ 1,088,071.88

TREASURER PIZZO MOVED TO APPROVE THE BILLS AND FINANCIALS IN THE AMOUNT OF \$1,088,071.88.

TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 6-0 (TRUSTEE HICKS ABSENT).

4. Minutes

December 2, 2013 Regular Board Meeting Minutes

TREASURER PIZZO MOVED TO APPROVE THE DECEMBER 2, 2013
REGULAR BOARD MEETING MINUTES AS PRESENTED.

TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 6-0 (TRUSTEE HICKS ABSENT).

5. Surplus Property Disposal

The Fire Chief and Finance Director recommend that the Township Board
approve the sale of surplus property per the attached memo.

TREASURER PIZZO MOVED THAT THE TOWNSHIP BOARD
AUTHORIZE THE SALE OF AMBULANCE A-133 AND FIRE RESCUE
TRUCK R-414 VIA THE STATE OF MICHIGAN MIBID AUCTION
WEBSITE. IF UNSUCCESSFUL, THE VEHICLES WILL BE LISTED WITH
BRINDLEE MOUNTAIN FIRE APPARATUS TRUSTEE MOJICA
SUPPORTED THE MOTION.

THE MOTION PASSED 6-0 (TRUSTEE HICKS ABSENT).

6. Notary Fees

The Township Clerk recommends that the Township Board approve the
Notary Fees per the attached memo.

TREASURER PIZZO MOVED THAT THE TOWNSHIP BOARD TOWNSHIP
BOARD ADOPT THE NOTARY FEE SCHEDULE OF \$10 PER NOTARY
SIGNATURE FOR NON-RESIDENTS AND AT NO CHARGE PER
NOTARY SIGNATURE FOR RESIDENTS EFFECTIVE JANUARY 1, 2014

TRUSTEE MOJICA SUPPORTED THE MOTION. THE MOTION PASSED
6-0 (TRUSTEE HICKS ABSENT).

XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION

XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA

XIV. ITEMS OF BUSINESS

7. FY 2013 Budget Adjustment

FINANCE DIRECTOR ANDERSON PRESENTED THE ONLY BUDGET ADJUSTMENTS FOR 2013 AND PRESENTED THE FOLLOWING SUMMARY:

GENERAL FUND

Board of Trustees- Recommended adjustment is due to increased training conferences and seminars attended by the Board. Most of these are related to educational classes attended by new board members.

Hall & Grounds- Adjustment needed for new township wide phone system purchased and installed in 2013. This system was not included in the original 2013 budget. (\$36,700)

Fire Dept. – Vehicle maintenance expense increase due to fire apparatus tire replacement (three vehicles in total). Increased overtime is due to numerous injuries in the department during 2013.

Roads – \$87,200 of the adjustment is for the Maycroft connector path completed during 2013. The remaining amount (\$26,000) is for the St. Joe/Broadbent intersection road project originally budgeted at \$167,600.

General Activity- Legal expenditures increase is due to higher than average legal activity during 2013.

Ambulance – Capital outlay increase is due to expenditures related to the CGAP grant for consolidated services (LGRFA). These funds were used to purchase an ambulance originally scheduled to be delivered in 2012. Corresponding grant revenues have also been increased.

Grant Revenue (State) - CGAP grant proceeds received during 2013 (ambulance).

Other Tax related revenue - Increase due to revenue received from the City of Lansing related to the 425 and supplier agreements.

Building Permit Revenue- Building permit revenue has exceeded budget projections due to increased construction activity during 2013.

As seen on the budget adjustment summary, the recommended budget adjustment nets out to a ZERO net effect on the general fund balance.

TREASURER PIZZO MOVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA AMEND THE 2013 GENERAL FUND BUDGET BY APPROVING THE INCREASES TO BOTH EXPENDITURE AND REVENUE ACCOUNTS PER THE ATTACHED SUMMARY.

Delta Township				
2013 Budget – Fourth Quarter Adjustment				
Board Meeting December 16, 2013				
Account	#	Approved Budget	Adjustment Debit/(Credit)	Final Budget
General Fund Expenditures				
<i>Board of Trustees</i> Meetings/Conf., Seminars	101-101.000-960	1,500	5,500	7,000
<i>Halls and Grounds</i> Capital Outlay	101-336.000-704	15,500	36,7000	52,200
<i>Fire</i> Vehicle Maintenance	101-336.000-863	50,000	18,000	68,000
Overtime	101-336.000-704	75,000	<u>16,700</u> 34,700	91,7000
<i>Roads</i> Capital Outlay	101-446.000-970	292,600	113,200	405,800
<i>General Activity</i> Legal	101-272.000-808	75,000	<u>45,000</u> 45,000	120,000
<i>Ambulance</i> Capital Outlay	101-651-970	<u>186,000</u>	<u>119,000</u>	<u>305,000</u>
TOTAL BUDGET ADJUSTMENT TO GF EXPENDITURES:			354,100	
General Fund – Revenues				
Grant Revenue – State	101-000.000-569	-	119,000	119,000
Building Permit Revenue	101-000.000-477	175,000	125,100	300,100
Other Tax Related Revenue City of Lansing 425 Income Tax	101-000.000-426	710,000	110,000	820,000
TOTAL BUDGET ADJUSTMENT TO REVENUES:			354,100	
<i>Net Change to GF Fund Balance:</i>			-0-	

TRUSTEE FEDEWA SUPPORTED THE MOTION.

THE MOTION PASSED 6-0 (TRUSTEE HICKS ABSENT)

8. D & K Truck Company – Sidewalk Variances

The Community Development is presenting a request from D & K Truck Company to grand sidewalk variances at 3020 Snow Road.

Supervisor Fletcher noted that the request is for Snow Rd., Old Lansing Road and Lansing Road, with previous discussions possibly approving the request for Snow and Lansing Road but to require the sidewalk on Old Lansing Road. Supervisor Fletcher stated that since that discussion he has had concerns about requiring the sidewalk on Old Lansing Road due to excessive costs on construction as well as whether or not a sidewalk or pathway would be constructed in the future. Supervisor Fletcher asked Economic Development Coordinator Ed Reed to give an update on the project.

Economic Development Coordinator Ed Reed stated that in attendance were Ed Bennett from D & K Truck, Brian True, Principle and Realtor, Jeff Kyes with KEBS Engineering. EDC Coordinator Reed stated the question tonight is whether to require sidewalks or to grant variances. EDC Coordinator Reed stated that he supports variances along each of the 3 roads.

Supervisor Fletcher stated that the sidewalk(s) would be vary expensive due to the current grading/sloping and the fact that it may not connect to anything. EDC Coordinator Reed stated that the topography is such that a retaining wall would be necessary and according to Jeff Kyes would cost at or above \$40,000.

Mr. Kyes stated that he had not done a detailed cost estimate, however there is no ditching, rather draining onto asphalt. A drop of 4-5 feet would have to be taken out of one are, significant amount of trees as well as a 6" gas main typically 18-24" down so anything cut in that area means exposing the gas main as well. These factors significantly raise the cost of the project above just installing the sidewalk.

John Hanieski, EDC Board Member gave an overview of adjacent property and stated that the development of sidewalks in his opinion adds no value to the subject property or the adjacent one.

Treasurer Pizzo stated that the subject property has been non-productive since 1984.

CLERK CLARK MOVED TO APPROVE THE SIDEWALK VARIANCE REQUESTED BY D & K TRUCK ALONG SNOW ROAD AND LANSING ROAD AS PREVIOUSLY DISCUSSED AND ALONG OLD LANSING ROAD BASED ON THE FOLLOWING FINDINGS OF FACT:

1. AS PER SECTION 34.23 (3) OF THE DELTA TOWNSHIP SIDEWALK

ORDINANCE, SIDEWALKS ALONG LANSING ROAD AND SNOW ROAD WOULD NOT LIKELY CONNECT TO ANY OTHER SIDEWALK AND THUS NOT SERVE THE PURPOSE OF A PEDESTRIAN SYSTEM.

2. THE 2012 NON-MOTORIZED TRANSPORTATION PLAN DOESN'T RECOMMEND PAVED SHOULDERS, BIKE LANES OR SHARED USE PATHS ALONG SNOW ROAD. THE PLAN DOESN'T RECOMMEND A SHARED USE PATH ALONG LANSING ROAD.
3. INSTALLATION OF SIDEWALKS PARALLEL TO LANSING ROAD OR SNOW ROAD WOULD NECESSITATE THE REMOVAL OF MATURE VEGETATION AND TREES WHICH, IN SOME AREAS, SCREEN THE SUBJECT PARCEL FROM THE ESTABLISHED SINGLE FAMILY RESIDENTIAL NEIGHBORHOOD.
4. LANSING ROAD CURRENTLY HAS A WIDE PAVED SHOULDER.

AND CLERK CLARK MOVED TO APPROVE THE SIDEWALK VARIANCE REQUESTED BY D & K TRUCK ALONG OLD LANSING ROAD BASED ON THE FOLLOWING FINDINGS OF FACT:

1. AS PER SECTION 34-23 (2) OF THE SIDEWALK ORDINANCE, STRICT APPLICATION OF THE MANDATORY SIDEWALK REQUIREMENTS WOULD RESULT IN PRACTICAL DIFFICULTIES TO THE APPLICANT BEING SEVERE VARIATIONS IN TOPOGRAPHY ADJACENT TO THE SUBJECT PARCEL'S OLD LANSING ROAD FRONTAGE.
2. AS PER SECTION 34-23 (3) OF THE SIDEWALK ORDINANCE, THE PREPONDERANCE OF PARCELS ALONG OLD LAANSING ROAD ARE ALREADY DEVELOPED WITH NO SIDEWALKS EXISTING AND ACCORDINGLY, A SIDEWALK WOULD NOT LIKELY CONNECT TO ANY OTHER WALK, AND THUS NOT SERVE THE PURPOSE OF A PEDESTRIAN SYSTEM.

TREASURER PIZZO SUPPORTED THE MOTION.

Trustee Fedewa noted the irony of passing the Complete Streets ordinance and then granting this variance. That while looking toward the Complete Streets and the Non-Motorized Plan, a balance must be struck and stated he supports granting the variances.

Supervisor Fletcher stated that the Non-Motorized Plan in place calls for, (potentially down the road 20 years or so), a mixed use pathway being

constructed – not necessarily a sidewalk.

Treasurer Pizzo stated that he has re-read the 2010 sidewalk plan which does not address this area as well as the map included in the plan stops at 496 and doesn't show anything south.

Clerk Clark stated that she is in full support of sidewalks in neighborhoods, retail areas and commercial areas where shops and stores are. Clerk Clark states that this is a totally different case.

Trustee Kosinski spoke in support of the variance because he believes it would be an undue burden on the property owner.

THE MOTION PASSED 6-0 (TRUSTEE HICKS ABSENT).

9. Sponsorship of Proposed Zoning Ordinance Amendments pertaining to Blood Plasma Centers.

The Community Development Department recommends that the Township Board sponsor proposed zoning ordinance amendments prepared by staff pertaining to Blood Plasma Centers.

TRUSTEE MOJICA MOVED THAT THE DELTA TOWNSHIP BOARD SPONSOR AMENDMENTS TO SECTIONS 2.2.0, 14.3.0, 15.3.0, 18.15.0, AND 18.16.0 OF THE DELTA TOWNSHIP ZONING ORDINANCE PERTAINING TO BLOOD PLASMA CENTERS. I FURTHER MOVE THAT THE AMENDMENTS BE REFERRED TO THE PLANNING COMMISSION FOR THE PURPOSE OF HOLDING A PUBLIC HEARING AND PROVIDING A RECOMMENDATION REGARDING THE AMENDMENTS.

TRUSTEE KOSINSKI SUPPORTED THE MOTION.

Clerk Clark asked Community Development Director Graham what the anticipated timeline would be that this would be back before the Board for action. Community Development Director Graham stated that the earliest it would be back to the Board for introduction would be January 21, 2014 and consideration of final action would be February 1, 2014.

THE MOTION PASSED 6-0 (TRUSTEE HICKS ABSENT).

10. Final Consideration of Tentative Preliminary Plat – Pointe West Subdivisions Nos. 3 & 4.

The Community Development Department recommends that the Township Board approve a tentative preliminary plat in Pointe West subdivisions Nos. 3 & 4.

Treasurer Pizzo asked whether there would be a presentation. Assistant Community Development Director Gary Bozek referenced the Board packet materials and stated that it is a southern extension of the existing subdivision. It is for 34 lots completing the subdivision in two phases. Phase 3 would have 16 lots; phase 4 would have 18 lots.

Assistant Community Development Director Gary Bozek stated that this is the initial review process; it is not ready to go to Engineering for site plan review.

In previous reviews, the Planning Commission had discussion on 2 major issues. The first by staff having to do with the connection between the two plats. This has been before the Board multiple times and not developed. The history behind this is that in previous reviews an extension was mandated. The developer has asked to eliminate a new connection and keep an old one. Assistant Community Development Director Bozek believes that the Board should agree with that.

The second issue raised by citizens had to do with storm drainage issues because of flooding problems in the past – most recently last year. That issue is also at the Planning Commission. The Township staff has met with the Drain Commission, Road Commission and the school district. The Drain office acknowledged that they have received the plat for review and was very highly likely coming before them but those were the only comments.

Treasurer Pizzo stated that his questions were concerning those two major issues. Treasurer Pizzo stated the plans from 2008 have penciled in school district requiring this - regarding the second connector. Assistant Community Developer clarified that what Treasurer Pizzo saw was his diagram and was sent with a letter to the school district. Further stating that what the diagram was meant to portray was the area in question. The agencies that reviewed the road connection were the Sheriff's Department, the Fire Department, the school district and the Road Commission.

Assistant Community Development Director Bozek explained that the Fire Department thought that the existing connection was sufficient, the Sheriff's Department, school district and Road Commission were all desirous of the additional access point. The Road Commission has the final say, however the Board can make the recommendation that it doesn't believe it is necessary.

Treasurer Pizzo pointed to the stipulation that the Drain Commissioner has final approval and asked whether the Drain Commissioner would meet with those concerned citizens. Assistant Community Development Director reiterated that this is the very beginning stage and that it goes through 3 review and approval stages during what is called the final preliminary stage where all of the engineering is provided – giving the Drain Office grading information, and various

other information. A meeting date has not yet been set.

Supervisor Fletcher asked about the cross access stipulation and Assistant Community Development Director Bozek stated that the Commission has removed that stipulation. There was also discussion requiring a foot path to the park property.

Trustee Fedewa pointed out portions that Assistant Community Development Director Bozek stated are designated green spaces that the homeowners association owns and maintains. Trustee Fedewa confirmed that there is also going to be a pathway from Ashford Manor to the park.

Treasurer Pizzo noted that there are several areas in the Township that have cul-de-sacs or dead end roads and was surprised regarding the Fire Department's decision not to require 2 access points. Fire Chief Clark stated that due to a conflict of interest he recused himself from reviewing the plan or any part of it. The report was done by Fire Inspector Roberts and further stated that after his report was made, Chief Clark agreed with Roberts's decision. Treasurer Pizzo stated that in the past, the previous Fire Chief believed that there should be multiple access points into neighborhoods.

Mike McGraw the developer who also owns the property, states that almost every property has multiple entry points. In regard to the Grand Ledge School District and the concern regarding bussing is solved by adding the extensions.

Treasurer Pizzo asked who decides where the fire hydrants go. Mr. McGraw stated that the plans are drawn up by the engineers. Fire Chief Clark stated that fire hydrant placement is determined between the engineer and developer. That often entire roads are closed based on location of a fire.

Trustee Kosinski reiterated Treasurer Pizzo's concern regarding multiple points of access and at the time originally researched, 100+ streets were 1 way access only. Trustee Kosinski voiced concern over allowing variance concerning points of egress as a matter of precedence setting in the future, as this has been a major topic in the past. Trustee Kosinski stated that he believes that the reasons for an allowed variance are acceptable and why the variance is being allowed if contrary to an existing Township policy. Mr. McGraw stated that he doesn't believe it is contrary to any policy and that the plans have many more points of entry than typically seen in any community (4-5 vs. 1-2). Trustee Kosinski stated that his point was regarding the one cul-de-sac only.

Supervisor Fletcher confirmed with Assistant Community Development Director Bozek that the Township does not have an existing policy against development of cul-de-sacs and Mr. Bozek agreed and further stated the only relating item is

having a second connection in a subdivision; however that is at the Township Board's discretion.

Lisa McCormick spoke as a resident and president of the homeowner's association, who lives at 7467 Lonsdale Circle and expressed concerns over flooding in the cul-de-sac, a home that had 10 feet of water in the basement as a result and is now foreclosed. Ms. McCormick stated that the grass during the summer is brown, yet the streaming water in the drains can be heard. Ms. McCormick stated that Mr. Bozek and Mr. Graham have been very helpful. However, attempting to have a meeting with the Drain Commissioner has been unsuccessful. That while she is not against developing the property, the water issue needs to be resolved.

Jeff Kyes with KEBS engineering stated that the Drain Commission has a new commissioner and staff and while not offering excuses stated that they were unable to provide him with the complaint information as well as the calculations. Mr. Kyes has resent all of the calculations for the condo area as well as the retention basins and the 2 subdivisions. Mr. Kyes states that all relevant information has been sent and believes that currently the Drain Commission needs the appropriate amount of time to evaluate the information.

Mr. Kyes addressed the question of whether the current catch basins are adequate, further elaborating that according to the plans as well as those with designated authority approved the plans. Mr. Kyes states that prior to going to full design the drainage issues will be resolved. Mr. Kyes stated that the water is bypassing the 21" pipe designed to handle the drainage and going to the 12" pipe which is not large enough.

Trustee Fedewa asked if the water goes into the pipe does it go into the retention pond. Mr. Kyes states that all drainage goes into the retention ponds which are all set up with overflows, the water should not back up.

Mr. McGraw stated that his company recently purchased sites around the retention pond and would not have done so without confidence that the drainage issues will be corrected.

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE TENTATIVE PRELIMINARY PLAT FOR THE POINTE WEST NOS. 3 & 4 SUBDIVISION AS ILLUSTRATED ON A DRAWING PREPARED BY KEBS, INC., DATED OCTOBER 16, 2013, SUBJECT TO THE FOLLOWING STIPULATIONS:

1. FINAL APPROVAL OF THE STORM DRAINAGE SYSTEM SHALL BE OBTAINED FROM THE EATON COUNTY DRAIN COMMISSIONER.

2. FINAL APPROVAL FOR THE PROPOSED LOCAL STREET ARRANGEMENTS SHALL BE OBTAINED FROM THE EATON COUNTY ROAD COMMISSION.
3. THE EXTENSION OF WATER AND SANITARY SEWER MAINS TO THE OUTER BOUNDARIES OF THE SUBDIVISION SUCH THAT THEY MAY BE EXTENDED ONTO ADJACENT UNDEVELOPED PROPERTIES, TOWNSHIP BOARD POINTE WEST NOS. 3 & 4 TENTATIVE PRELIMINARY PLAT DECEMBER 10, 2013 SUCH AS THE CAMPBELL AND MT. HOPE PARK PROPERTIES, AS REQUIRED BY THE TOWNSHIP ENGINEERING DIVISION AND UTILITIES DEPARTMENT.
4. FINAL APPROVAL OF THE PROPOSED WATER AND SANITARY SEWER SYSTEMS SHALL BE OBTAINED FROM THE TOWNSHIP ENGINEERING DIVISION AND UTILITIES DEPARTMENT.
5. MAINTAINING COMPLIANCE WITH THE MINIMUM AMOUNT OF REQUIRED OPEN SPACE WITHIN THE PUD.

TRUSTEE MOJICA SUPPORTED THE MOTION.

THE MOTION PASSED 6-0 (TRUSTEE HICKS ABSENT).

11. Final Consideration of Tentative Preliminary Plat – Ashford Manor Subdivisions Nos. 3 & 4.

TRUSTEE FEDEWA MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE TENTATIVE PRELIMINARY PLAT FOR THE ASHFORD MANOR NOS. 3 & 4 SUBDIVISION AS ILLUSTRATED ON A DRAWING PREPARED BY KEBS, INC., DATED OCTOBER 16, 2013, SUBJECT TO THE FOLLOWING STIPULATIONS:

1. FINAL APPROVAL OF THE STORM DRAINAGE SYSTEM SHALL BE OBTAINED FROM THE EATON COUNTY DRAIN COMMISSIONER.
2. FINAL APPROVAL FOR THE PROPOSED LOCAL STREET ARRANGEMENTS SHALL BE OBTAINED FROM THE EATON COUNTY ROAD COMMISSION.
3. THE EXTENSION OF WATER AND SANITARY SEWER MAINS TO THE OUTER BOUNDARIES OF THE SUBDIVISION SUCH THAT THEY MAY BE EXTENDED ONTO ADJACENT UNDEVELOPED PROPERTIES, TOWNSHIP BOARD POINTE WEST NOS. 3 & 4 TENTATIVE PRELIMINARY PLAT SUCH AS THE ROBY PROPERTY, AS REQUIRED

BY THE TOWNSHIP ENGINEERING DIVISION AND UTILITIES
DEPARTMENT.

4. FINAL APPROVAL OF THE PROPOSED WATER AND SANITARY
SEWER SYSTEMS SHALL BE OBTAINED FROM THE TOWNSHIP
ENGINEERING DIVISION AND UTILITIES DEPARTMENT.
5. A PEDESTRIAN PATHWAY SHALL BE CONSTRUCTED IN THE
SUBDIVISION THAT WILL PROVIDE ACCESS FROM ASHFORD
MANOR TO THE TOWNSHIP'S FUTURE MOUNT HOPE PARK
PROPERTY.

TREASURER PIZZO SUPPORTED THE MOTION.

THE MOTION PASSED 6-0 (TRUSTEE HICKS ABSENT).

**12. Final Consideration of Lansing Board of Water & Light Special Land Use
Permit in Case No. 11-13-20.**

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP BOARD
APPROVE OF THE SPECIAL LAND USE PERMIT REQUESTED BY THE
LANSING BOARD OF WATER AND LIGHT TO PERMIT THE ESTABLISHMENT
OF AN ELECTRICAL SUBSTATION ON THE PROPERTY DESCRIBED IN
CASE NO. 11-13-20, FOR THE FOLLOWING REASONS: DELTA TOWNSHIP
BOARD FINAL CONSIDERATION OF LBWL SPECIAL LAND USE PERMIT
REQUEST - CASE NO. 11-13-20.

1. THE REQUEST MEETS THE GENERAL STANDARDS SPECIFIED FOR
SPECIAL LAND USES IN SECTION 18.4.0 OF THE DELTA TOWNSHIP
ZONING ORDINANCE AND THE REQUEST MEETS THE SPECIFIC
SPECIAL LAND USE PERMIT STANDARDS OF SECTION 18.6.0 (E)
OF THE DELTA TOWNSHIP ZONING ORDINANCE FOR A MAJOR
ESSENTIAL SERVICE FACILITY.
2. THE USE IS CONSISTENT WITH FUTURE LAND USE
RECOMMENDATIONS OF THE COMPREHENSIVE PLAN, WHICH IS TO
PERMIT THE ESTABLISHMENT OF HEAVY INDUSTRIAL LAND USES
ON THE SUBJECT PARCEL
3. THE SUBJECT PARCEL CAN BE ADEQUATELY SERVED BY PUBLIC
UTILITIES.

SUBJECT TO THE FOLLOWING STIPULATIONS:

1. COMPLIANCE WITH THE SPECIFIC SPECIAL LAND USE PERMIT STANDARDS OF SECTION 18.6.0 (E) OF THE DELTA TOWNSHIP ZONING ORDINANCE.
2. APPROVAL OF A FINAL SITE PLAN BY THE ZONING ADMINISTRATOR AS PER THE REQUIREMENTS OF SECTION 18.4.0 B. AND CHAPTER 19 OF THE DELTA TOWNSHIP ZONING ORDINANCE.
3. THE INSTALLATION OF ADDITIONAL LANDSCAPING BETWEEN THE SOUTH PROPERTY LINE OF THE SITE AND THE SOUTH FENCE LINE OF THE FACILITY, AND THE INSTALLATION OF A GREENBELT ALONG CANAL ROAD, AS REQUIRED BY THE ZONING ADMINISTRATOR.
4. THE PROVISION OF FENCING OR SCREENING OF THE SOUTH, WEST AND NORTH SIDES OF THE FACILITY WITH A TREATMENT OR DESIGN THAT, AT A MINIMUM, IS SIMILAR TO THE SCREENING OF THE EXISTING SOUTH CREYTS ROAD SUB-STATION.
5. FAILURE OF THE APPLICANT TO COMPLY WITH ANY OF THE PROVISIONS REQUIRED BY THE ZONING ORDINANCE, OR ANY STIPULATIONS REQUIRED BY THE DELTA TOWNSHIP BOARD, SHALL CONSTITUTE GROUNDS FOR TERMINATION OF THIS PERMIT BY THE DELTA TOWNSHIP BOARD.

TRUSTEE FEDEWA SUPPORTED THE MOTION.

THE MOTION PASSED 6-0 (TRUSTEE HICKS ABSENT).

XV. MANAGER'S REPORT

Deputy Manager Jenny Roberts stated that a notification was sent out regarding the closure of the Lansing Mall due to a gas leak this morning and they reopened at noon.

XVI. COMMITTEE OF THE WHOLE

13. Lansing Community College January Committee of the Whole Meeting.

Supervisor Fletcher stated that LCC has requested to hold the joint meeting at LCC on January 13th, 2014. Clerk Clark stated it would be downtown toward the Arts & Sciences remodeled building. To discuss and obtain information regarding Delta Township Enrollment and issues with the Delta Township Campus.

XVII. PUBLIC COMMENTS – None

XVIII. ADJOURNMENT

Supervisor Fletcher adjourned the meeting at 7:51 p.m.

CHARTER TOWNSHIP OF DELTA

KENNETH FLETCHER, SUPERVISOR

MARY CLARK, CLERK

/kit
M:\Regular Board Meeting\BD\MIN\December 16, 2013
Minutes Approved: